



52nd Session of the United Nations Human Rights Council

Biennial high-level panel discussion on the question of the death penalty

Oral Statement

28 February 2023

Thank you Mr. President,

The International Bar Association's Human Rights Institute welcomes this high-level panel on human rights violations relating to the use of the death penalty, in particular with respect to limiting the death penalty to the most serious crimes.

The Human Rights Institute opposes and condemns the death penalty in all circumstances and calls on retentionist States to join the global movement towards abolition.

Pending this, States retaining the death penalty must strictly observe the international obligation under Article 6(2) of the International Covenant on Civil and Political Rights to limit the use of the death penalty to the most serious crimes.

We condemn the death penalty being provided for in law and applied for crimes that do meet this threshold, including drug-related offences and broad and vaguely defined crimes against State security, in contravention of international standards. We call on States to progressively restrict the imposition of the death penalty and the crimes to which it applies.

We are also concerned by a lack of, or limited access to, effective legal representation in death penalty cases, in violation of international fair trial standards. Defence lawyers play a vital role in capital cases, guarding against wrongful convictions and death sentences. However, as highlighted in the OSCE ODIHR 2022 Background Paper on the Death Penalty, they face unique professional and personal challenges in their work.

We call on this Council to seriously address these concerns, and on States to provide the necessary support to capital defence teams, including adequate resources and funding for legal aid systems, defence lawyers, investigators, and experts, and for professional counselling for the psychological impact of working on death penalty cases.

Thank you.

This statement was delivered by:

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